IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.14741 of 2006

Dated: July 20, 2006

Between:

Smt. P. Kamala Sudha Rani, W/o. Sri P. Sai Srinivas,
aged 35 years, R/o. Plot No.294, Green Fields Colony,
Near Kannajiguda, Thirumalagiri, Secunderabad-15.

… Petitioner

And

The Osmania University, rep. by its Registrar,
Hyderabad, and another.

… Respondents

Order:

This writ petition has been filed seeking Mandamus to declare the action of the respondents in not appointing the petitioner as Academic Consultant in the Department of Telugu in Nizam College as arbitrary and illegal.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing on behalf of the first respondent.

3. It is the case of the petitioner that she is a postgraduate in Telugu, having passed in 1994 with first class and also registered for P.hd. in the year 2005. It is stated that she worked as Academic Consultant in Nizam College, Osmania University, for the academic year 2004-05 on a fixed remuneration of Rs.8,000/- per month. The grievance of the petitioner is that though she has served as an Academic Consultant in Telugu faculty, the first respondent issued an advertisement inviting applications for the post of Assistant Professors. Her case is that since she has worked in the second respondent college for the previous academic year, she is entitled to be continued as such and she assails the action of the respondents in disengaging her services. She is also said to have responded to the said advertisement and registered her candidature.

4. The learned Standing Counsel appearing for the first respondent university submits that the petitioner has not been appointed against any regular vacancy by following regular procedure. Her services were being utilized having regard to the workload in the college; hence the petitioner does not have any right to claim continuance.

5. Admittedly, the case of the petitioner is that she was appointed for a fixed period, i.e. from 09-09-2004 to 31-03-2005, to attend to the excess work, on a fixed remuneration. In view of the fact that the petitioner was appointed only on contract basis and the contracted period has come to an end, and having regard to a recent judgment of the Supreme Court reported in **Secretary, State of Karnataka**

V. Umadevi and others[1]**,** by virtue of the service on contract basis, which the petitioner has rendered, no vested right is accrued to her to seek appointment in the second respondent college.

6. In the circumstances, the writ petition is disposed of directing the respondents to consider the case of the petitioner along with other candidates who apply pursuant to the notification dated 31-03-2006, keeping in mind her past service and record.

7. The writ petition is disposed of with the foregoing directions. There shall be no order as to costs.

JUSTICE R. SUBHASH REDDY.

July 20, 2006
Note: Furnish C.C. tomorrow
B/o
MRR

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[1] **(2006) 4 SCC 1**